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7 Attorneys for Dale D. Ulrich, Trustee

8 **IN THE UNITED STATES BANKRUPTCY COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 In re:

(Chapter 7 Case)

11 SHERRY LEE ANNE RAYMOND,

No. 2:17-bk-12195-DPC

12 Debtor.

13 **TRUSTEE’S MOTION FOR ORAL**
EXAMINATION PURSUANT TO
FEDERAL RULE OF BANKRUPTCY
PROCEDURE 2004

14 Dale D. Ulrich, Trustee, by and through his undersigned counsel, herein moves this Court
15 for an Order directing Sherry Lee Anne Raymond to appear for examination under oath pursuant
16 to Federal Rule of Bankruptcy Procedure 2004. For his Motion, Dale D. Ulrich, Trustee,
17 respectfully represents as follows:
18

19 1. Sherry Lee Anne Raymond (“**Debtor**”) filed her Voluntary Petition under Chapter 7
20 of Title 11 on October 13, 2017.

21 2. Dale D. Ulrich is the duly appointed and acting trustee in this case (“**Trustee**”).

22 3. Trustee desires to examine Debtor as to acts, conduct, property, liabilities and financial
23 condition, among other matters which would affect this estate and its administration.
24

25 4. A motion and order for a Rule 2004 examination may be made and granted ex parte,
26 see Advisory Committee Note to Rule 2004, and without notice to examinee. *In re Good Hope*
27
28

1 *Refineries, Inc.*, 9 B.R. 421, 422 (Bankr. D. Mass. 1981). Both the debtor and "third parties" are
2 vulnerable to the extensive discovery the rule permits. *In re Wilcher*, 56 B.R. 428, 434 (Bankr.
3 N.D. Ill. 1985). The examination may include questions concerning the liabilities and financial
4 condition of the debtor or any matter which may affect the administration of the estate. The scope
5 of the inquiries is determined by the relevance of the information sought to the continued
6 administration of the bankruptcy estate. *In re Cinderella Clothing Industries, Inc.*, 93 B.R. 373,
7 378-9 (Bankr. E.D. Pa. 1988).
8
9

10 5. Trustee has considered the requirements of F.R.B.P. 2004(e) and determined that the
11 Debtor resides not more than 100 miles from the place of the examination.
12

13 WHEREFORE, Dale D. Ulrich, Trustee respectfully requests that this Court issue its
14 Order directing Sherry Lee Anne Raymond to appear at the offices of Lane & Nach, P.C., 2001
15 East Campbell, Suite 103, Phoenix, Arizona 85016, for an electronically recorded oral
16 examination on a date and time agreeable to the parties or, if upon notice, after not less than 28
17 days' notice.
18

19 RESPECTFULLY SUBMITTED this 8th day of February, 2019.

20 **LANE & NACH, P.C.**

21 By /s/ MPL 007435
22 Michael P. Lane
23 Attorneys for Trustee

24 COPY of the foregoing mailed:

25 Sherry Lee Anne Raymond
26 19212 N. 17th Ave.
Phoenix, AZ 85027
Debtor/pro se
27
28

1 Delivered via electronic notification to:

2 Office of U.S. Trustee
3 230 North First Avenue
4 Phoenix, AZ 85003
Email: Patty.Chan@usdoj.gov

5 By /s/ Sheila Rochin